

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

11 QUINTIN R. CROSS,

No. 2:21-cv-0766 DJC CKD P

12 Plaintiff,

13 v.

FINDINGS AND RECOMMENDATIONS

14 BRAZIL, et al.,

15 Defendants.

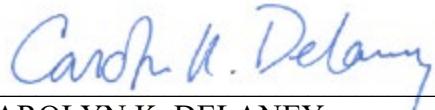
17 Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42
18 U.S.C. § 1983. On July 28, 2023, defendants filed a motion to compel further responses to
19 requests for discovery. ECF No. 29. On October 24, 2023, plaintiff was ordered to file a response
20 to the motion within thirty days. ECF No. 38. In the same order, plaintiff was informed that
21 failure to file a response would result in a recommendation that this action be dismissed pursuant
22 to Fed. R. Civ. P. 41(b). The thirty day period has now expired, and plaintiff has not responded to
23 the court's order. ECF No. 41.

24 For the foregoing reasons, IT IS HEREBY RECOMMENDED that this action be
25 dismissed pursuant to Federal Rule of Civil Procedure 41(b).

26 These findings and recommendations are submitted to the United States District Judge
27 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
28 after being served with these findings and recommendations, any party may file written

1 objections with the court and serve a copy on all parties. Such a document should be captioned
2 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the
3 objections shall be filed and served within fourteen days after service of the objections. The
4 parties are advised that failure to file objections within the specified time may waive the right to
5 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: February 20, 2024



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8 CAROLYN K. DELANEY
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12 UNITED STATES MAGISTRATE JUDGE
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